EMPEROR AT REVIEW

Mikado of Japan Inspects Imperial Guards at Possible Leave Taking.

ENGLISH TROOPS ORDERED TO BE READY

Those at Hong Kong Are Told to Prepare for Active Service.

HOPE FOR SETTLEMENT GROWS LESS

Japaness Minister at London Sees Little Prospect of Peace.

CABINET DECIDES UPON ITS COURSE

Admiral Evans Will Be Instructed to So Act as to Emphasize Absolute Neutrality Between Belligerent Powers.

TOKIO, Jan. 8 .- The emperor inspected ing the First division of the army, together with some independent cavalry regiments Troops Meeting and Are Marching and brigades of artillery, numbering in all some 26,000 men on the Aoyams, field today. It is expected that these troops will constitute the third contingent in the event of war being declared.

The occasion was regarded as a possible soldiers, the scene being most impressive. Enormous crowds lined the route from the palace and surrounded the grounds. The emperor rode to the Aoyama field in the revolutionists. state coach but was on horseback when inspecting and reviewing the troops. His

staff included all the foreign attaches. HONG KONG, Jan. 8 .- A detachment of 250 men of the Sherwood Foresters (Nottinghamshire and Derbyshire regiment), forming part of the garrison of Hong Kong has suddenly been warned to be in readiness for active service. The destination of se troops has not been divulged. The auect, but it is presumed the troops are ling to Peking or Beoul. The detachment ready and their transport arrangements

Hayashi is Despondent. LONDON, Jan. 8.-The text of the Russian raply to Japan's last note has been rewill be presented to the Foreign office later

in the day by Minister Hayashi.

At the legation the opinion is held that the reply is utterly opposed to the main Japanese contentions and it is thought that | jority. regotiations will be broken off. Minister Hayashi said to a representative

of the Associated Press; "After reading the reply, all I can say is that hope for a peaceful settlement is growing less and less. Conditions are very grave. Japan has decided not to buy the Chilean

warships for which negotiations had been Documents Tending to Show Nationstarted. At the legation it is said that the ships bought recently from Argentine are expected to sail today for the far east by way of the Suez canal. Wheat advanced a further shilling per

quarter today in some of the provincial markets on the prospect of war. About 116,000 tons of coal were shipped from Cardiff, Wales, during this week-46,000 to Japan, 40,000 to Port Arthur and settled in Bologna.

20,000 to Hong Kong A special dispatch from Tokio under to day's date, after recording the arrival of not said its last word and there are still hostilities may be averted. From the Russian legation it is announced that the negotiations will continue."

Japan a "Naughty Child." NEW YORK, Jan. 8.-Nearly all persons here take the view that Japan's conduc toward Russia is that of a naughty child. cables the St. Petersburg correspondent of the Herald. It is constantly being told in the press not to be so foolish, not to waste money in the impossible task of fighting Russia, and so on. In a long article upon the alleged folly of Japan's pretensions the

"What can she do to hurt Russia? She must take one of her strong fortresses, say Port Arthur, but it would require ten times more military force than it could ever bring to bear to accomplish such a feat. We think, however, England and America will intervene to prevent Japan rom taking any such mad step as that of making war-upon us."

"The army is excited," says a Herald dispatch from Port Arthur. "However, the higher officers are remarkably calm, be lieving that the Japanese are only demonstrating.

LOS ANGELES, Cal., Jan. 8.-The Times this month over 1,000 Japanese will have gone back from California to Japan, having been called to go by an edict of Japanese Consul Moniono of San Francisco Representative Asks Mediation.

WASHINGTON, Jan. 8.-The far eastern situation was discussed at the cabinet meeting today, special consideration being given the movement of the Asiatic squadron, which it is desired shall be so shaped as to emphasize the absolute neutrality of this country in the event of hostilities between Russia and Japan. After the meeting it was announced that orders would be cabled Rear Admiral Evans upon his arrival at Guam tomorrow, to proceed thence Subig bay, it being desired that the American pavy shall observe "good sea manners" by not going to Japanese or Rus-

Representative Slayden (dem.) of Texas introduced a resolution to the house today requesting the president to tender the good offices or mediation of the United States to Russia and Japan. The resolution fol-

Whereas, By the provision of The Hague poace convention of 1898, tender of good offices or mediation by a nation, stranger to a dispute, cannot be regarded as an unfriendly act, and.

Whereas, liy said convention it is made the duty of signatory powers, if a serious dispute threatens to break between two or more of them, to remind these latter that the permanent court of arbitration is open to them, and such reminder is only to be regarded as a friendly action; and.

Whereas, Warlike difficulties are now threatened between Russia and Japan, which countries, as well as the United States, are signatories to The Hague peace convention.

convention.

Resolved, By the senate and house of the United States of America, in congress assembled, that the president be requested to tender the good offices or mediation of the United States to Hussia and Japan with relation to their present dispute, and to remind them, in accordance with The Hague peace convention, that the permanent court of arbitration is open to them.

Japan Buys in Philippines. MANILA, Jan. 8.-The Japanese government through its local agent has just called for bids for an enormous quantity of subsistence stores, all bids to be in by

January 30. Emperor's Voice Culture Complete. BERLIN, Jan. 8.-Emperor William has ended his course of voice training. The emperor's late instructor, Dr. Gustav Spless, has seturned to his home at Frank-

WANT FINNS IN THE ARMY MAKES APOLOGY FOR ARREST TWENTY MINUTES WITH BILLS HINSHAW SEES ROOSEVELT

Imperial Rescript Issued Designed to Increase Efficiency of the Russian Force.

ST RSBURG, Jan. 8.—An imperial react governor general of Finland directs ernor to dismiss all Finns directs ernor to dismiss all Finns employed state or municipal service who have led their military service in the Fin battalion during 19 3, and not to is graphing loans or for five years granting loans or or individuals, or the remission of fit the remission of the governor is or-dered to take into comparison the extent of the opposition to levying recruits offered by the applicants. Students of the higher schools who have not performed military service are to be expelled for periods not

exceeding a year. The governor is also empowered to reease Finns who have joined the colors and to replace them by evaders of military service, and he is directed to issue a proclamation announcing that all Finns not presenting themselves for service in 1904 will be drafted into regiments outside of Finland.

and reviewed the imperial guards constitut- URUGUAY HAS A REBELLION

Upon City in Aid of Insurgents.

BUENOS AYRES, Jan. 8 .- Advices from Montevideo say that the Uruguayan troops leave-taking between the emperor and his in the Department of Artigas have mutinied and are marching on Melo and that the nationalists of the Department of Treintay Tres have declared in favor of the

> A detachment of Uruguayan troops during the night of January 4 surprised and routed a revolutionary force under Munoz in the Department of Maldonado, The Uruguayan troops have been captured in the Brazilian frontier, eight wagons being loaded with arms and ammunition.

LIBERALS HOLD THE SEAT ities refuse all information on the Double Majority in Campaign in Which Fiscal Policy Was

an Issue.

LONDON, Jan. 8 .- The bye-election in the Ashburton, or Middle division of Devonshire, yesterday, to fill the vacancy in the House of Commons caused by the death of ceived at the Japanese legation here. It Hon. C. Seale-Hayno, (liberal) resulted in the return of the liberal candidate, H. T. Eve, by a majority of 1,475 over the serves notice on the mills that the union unionist candidate, General Sir Richard weavers will not stand the 10 per cent Harrison, thus doubling the liberal ma-

> This was partially due to Mr. Eve's local popularity. Otherwise it was attributed to opposition to Joseph Chamberlain's tariff proposals.

MAY PROVE JOAN AN ITALIAN

ality of Maid of Orleans Are Found.

ROME, Jan. &-Documents have been found tending to prove that Joan d'Arc was the daughter of an Italian who was descended from the Ghisileri family. This power house of the street railway company fusal to sen in his resignation. family came from Constantinople in 1413 and

After the estates of Ferrante Ghisller had been usurped by Giovanni Bentwogalio he emigrated to France, where he had three the Russian reply, adds: "Diplomacy has children, one of whom was Joan: The documents say that it is difficult to ascertain the truth because Ferrante Chisileri after his arrival in France changed his name to

ACQUITS CUSTOMS OFFICERS

Mantla Court Passes Upon Charges of Fraud Connected with Chinese Immigration.

MANILA, Jan. 8.-Ballantine and Miller, charged with conspiracy to defraud the customs by furthering the illegal entry of an exempt class of Chinese, have both been acquitted in the customs court of appeals before Judges Crossfield and Roxas.

W. D. Ballantine was an inspector of customs at the time of his arrest for the issuance of alleged fraudulent Chinese certificates, and John T. Miller, implicated with him, was a former inspector of im-

British Fleet Visits Spain. LONDON, Jan. 8 .- The British home fleet left Portland today for the Spanish wast after coaling to the full capacity. The fleet will thus be in readiness to replace the Channel squadron in the event of the latsays: It is estimated that by the end of ter being required to fill up vacancies in the Mediterranean squadron, should ves sels be ordered thence to the far east.

> Holland Buys Krupp Guns. THE HAGUE, Jan. 8.-The first chamber of the Netherlands Parliament, following the example of the second chamber, today voted about \$1,750,000 for the purchase of quick-firing Krupp guns, after a declaration of the war minister that he considers the Krupp guns were preferable to the Eherhardt guns

Quiet at Kishineff.

ST. PETERSBURG, Jan. 8 .- Telegrams received from Kishineff by leading Jews vesterday evening did not contain the slightest indication of a panic there, as reported in the United States yesterday, and othing has been heard on the subject elsewhere.

Gowdy Represents Panama.

PARIS, Jan. 8.-United States Consul General Gowdy today received instructions from Secretary of State Hay to represent Panama in all consular matters and that the secretary had notified the other consuls in Europe to take like action.

Promotion for Dundonald.

LONDON, Jan. 8.-It is reported that Major General Lord Dundonald, commanding the Canadian militia, will shortly leave Canada and succeed Major General Sir Alfred Turner as inspector general of the auxiliary forces.

ARRESTS LAND INSPECTOR Daniel F. Campbell of Kansas Taken in Custody on Charge of

Bribery. OSWEGO, Kan., Jan. 8 .- Daniel F. Campbell, former representative in the legislature from Bourbon county, came here today and the sheriff formally arrested him, charging him with bribery while a member of the legislature during the last session of

Campbell's attorneys filed motions to quash the three complaints and warrants McAdoo has notified the police inspectors against him, for the reason, it was alleged, that they each failed to charge a public of- gambling houses and pool rooms were being fense. The motions were taken under ad- opened in Manhattan borough. He allowed visement until January 18. Campbell is them forty-eight hours to close every now a federal land inspector in the Indian sambling house and pool room in the jury.

Man Put in Prison for Employing Union Labor is Released.

MILITIA OFFICER SAYS 'TWAS MISTAKE

No Charge Made Against Charles H Reimer After Detention of Two Days in Military Prison at Cripple Creek,

CRIPPLE CREEK, Colo., Jan. 8,-Charles H. Reimer, representative of the Ryan-Whitney syndicate interests in the Portland Gold Mining company, who was arrested by the military authorities on Wednesday, has been released by order of Colonel Verdeckberg, commanding officer in the district. No criminal charge was made against Reimer and Colonel Verdeckberg apologized to him for the arrest, which, he and while he was absent from the district.

Governor Disregards Courts, DENVER. Jan. 8 .- Governor Peabody stated today that he had received no official notification of injunction issued by Judge Seeds of Teller county to prevent the deportation of idle miners from the Cripple Creek district. "If such an injunction has been issued."

he said. "I do not imagine for a moment that the military authorities in charge of soldiers in the field will accept service or obey it." Governor Peabody added that he did not believe a civil court had the power to inter-

fere with the military when called out to

suppress Insurrection or riot. Attorney General Miller expressed the same view. Jury Must Decide Case.

GEORGETOWN, Colo., Jan. 8. - The prosecution in the trial of fifteen union miners, charged with conspiracy to destroy presentation of its case today and the defense announced that it would introduce no testimony. Court adjourned until next Monday. The court overruled motions to instruct the jury to return a verdict of acquittal and to discharge defendants on the ground of insufficient evidence. District Attorney Thurman nolled the cases against two of the defendants.

Shingle Weavers Organize.

TACOMA, Wash., Jan. 8.-The conven tion of the International Shingle Weavers' union adjourned today after readopting the present wage schedule. This practically cut proposed in some places.

The convention decided to unionize the unorganized weavers in California and the cypress districts of the south. A division of the United States into two districts was made to meet the wage question. The eastern district embraces the territory east of the Rocky mountains. The Pacific coast states and British Columbia form the western district. C. R. Pickens of Everett, Wash., was elected president.

Bloomington Strike Spreads.

BLOOMINGTON, Ill., » Jan. 8.-The electrical workers and light trimmers declared railway strikers. All of the force at the excepting the engineers and firemen, who are not organized, left the service. The company has been preparing for the move and is filling the places of the strikers as rapidly as possible. The company today sent ten of the imported street car crews back to Chicago, claiming that enough local men had been secured to take their places and that the remainder would be returned by Saturday.

Due to the inability to secure a sufficient number of citizens to serve as special offiers during the street railway strike, Mayor Morrison today served notice upor every member of the board of aldermen, numbering fourteen, that they would be required to serve as police officers Satur day and Sunday and possibly longer t there is any more disorder. The sheriff has been forced to call in his country deputies to serve on account of the impossibility of securing the required number from resi-

dents of the city. Coal Strike Becomes Serious. MYERSDALE, Pa., Jan. 8.-The strike in the Meyersdale field has reached a critical stage, two riots having occurred as the re sult of placing nonunion men in strikers places at Garrett. The situation is so serious that i maye outbreak is looked for at

FIGHT IN NEW JERSEY PRISON Prisoner Killed and Two Guards Injured as Result of Attempted Escape.

TRENTON, N. J., Jan. 8 .- Charles Brooks an inmate of the New Jersey state prison is dead, Center Keeper John Fitzgerald has a bullet in his hip and William J. Harney a deputy keeper, is suffering from scalp wounds, as the result of Brooks' attempt to escape from the institution. It will require a postmortem examination to determine from strangulation in his attempt to com- of Great Britain in recognition of his serv mit suicide after he had been taken to the powered he was taken to the dungeon. On ing. the way he informed the guards that he was wounded. Later the principal keeper ordered that Brooks be taken to the prison hospital: When the dungeon was opened Brooks was found suspended by his suspenders and was dead.

Brooks was serving out a twenty years sentence for burglary in Hudson county.

GOES TO OPEN CONFERENCE Sergeant-at-Arms of Democratic National Committee Starts for

Washington.

ST. LOUIS, Jan. 8 .- John I. Martin, sergeant-at-arms of the democratic national ommittee, left for Washington today to prepare for the work of bringing the next national convention to this city. The committee appointed by the Business Men's eague will follow on Sunday, arriving there prepared to offer a guarantee of \$40,000, free use of the Collseum, ample hotel facilities and no increase in rates.

TAMMANY FIGHTS GAMBLERS Police Commissioner McAdoo Gives Policemen Forty-Eight Hours to

Close Them. NEW YORK, Jan. 8 .- Police Commissioner that he had received information that berough

House of Representatives Does Quick Work in Passing Pension Measures.

WASHINGTON, Jan. 8.-The chaplain of the house today at the opening of the ecasion prayed for comfort for the griefstricken family of ex-President Cleveland The bill amending the act appropriating

money for the eradication of the foot and mouth disease among cattle so as to make available the amount of \$50,000 to meet the emergency caused by the Mexican boll weevil, was taken up for consideration. Mr. Burleson (Tex.) urged the importance of the passage of the bill to the cotton growing sections, giving the history of boll weevil and what it had done.

Mr. Gillette (Mass.) called attention to been brought to New England and which he said was equally dangerous and should receive attention with a view to its extermination. He offered an amendment for an additional appropriation of \$350,000 said, was made without authority from him for the eradication of the Egyptian moth. Mr. Wadsworth made the point of order that this was not germane, as it was a

new apprepriation. against the amendment and the bill passed without division. It provides that the sum made available may be expended by the secretary of agriculture in such manner as he shall deem best, in go-operation with Hinshaw said he asked the president as to state experiment stations and practical cotton growers, if the secretary of agriculture shall deem it advisable to meet the emergency caused by the ravages of the cotton boll weevil and other insects affect-

The house then went into committee of the whole to consider pension bills. The strong in Nebraska and the west," said Mr. committee arose at 2:25 p. m., having acted favorably upon 115 bills, twenty-nine of which were senate bills. The house passed the 115 bills in twenty minutes, Adjourned until Monday.

the Sun and Moon building, completed the APPRAISER WILL NOT RESIGN

Federal Official at Chicago Asks Information as to Why He in Ounted.

CHICAGO, Jan. 8 .- Although Luman T. Hoy has been nominated to succeed General Horace H. Thomas as appraiser of customs at this port, the resignation of General Thomas, requested by the secretary of the treasury, has not been sent in, nor will it be. General Thomas will appeal to the president to find out why his resignation was asked for. In a letter from the necretary of the treasury calling for General Thomas' resignation it is stated that the purpose is not to make a place for another, and that there is nothing political in the request, but that it seems necessary to secure a vigorous administration.

General Thomas in a reply which he made public today along with the secretary's letter, says that there was no charge of and that especially good work has been done in unearthing frauds at other ports. He also wrote the president calling attention to the gentleman who appointed him as appraiser. No reply was received from the president, but Secretary Shaw asked a strike today in sympathy with the street the general to advise, him by telegraph whether his letter was intended as a re-

General Thomas claims that there has not been a lax administration, on the contrary that there is no appraiser's office in the country that is in more perfect working order or where business is transacted with more expedition. If a commission of appraisers were sent to investigate the office and they reported adversely he would resign, but he will not resign under charges which he says he knows cannot be sus-

REQUESTS FROM EXECUTIVES Congress Asked for Special Approprintions and Laws by Heads

of Departments.

WASHINGTON, Jan. 8 .- Secretary Root has transmitted to congress an estimate of \$400,000 for an appropriation for the purchase of land in the District of Columbia for a site and the erection thereon of an army general hospital "for the treatment of special classes of cases, for purposes of instruction in connection with an army med ical school for training enlisted men of the hospital corps in nursing, and to serve as a base hospital in time of war."

In order to make an increased allowance to army officers for quarters, especially in cities, Secretary Root has transmitted to the house the draft of a new provision which allows \$12 per month for the following rooms to officers:

Lieutenant generals, 12 rooms; major generals, 19; brigadier generals, 8; colonels, lieutenant colonels, 6; majors, 5; captains, 4: Heutenants, 3.

Secretary Shaw today transmitted to the house a request of Secretary Root for an question which has been agitating the peoappropriation of \$585,000 for new arms and equipment for organized militia.

The house was asked today by the State department for authority to allow Rear Admiral B. H. McCalla of the navy to accept whether Brooks died from being shot or the China medal awarded him by the king ices in connection with the relief of the dungeon. When Brooks was finally over- Peking legations during the Boxer upris-

> The secretary of the treasury today transmitted to the house a request for an appropriation of \$49,700 for the payment of stead of \$2.50, as provided by Mr. Burke's officers and men entitled, according to bill. judgments of the court of claims, to bounty for destruction of the enemy's vessels at Santiago, Cuba, July 3, 1898.

The State department today transmitted the house a supplemental estimate for third secretaries of embassies at Vienna Rome and St. Petersburg at \$1,300 each These officers are made necessary by the increased work of the embassies.

TROLLEY CAR JUMPS TRACK Five People Are Injured at Kansas City by Accident on Trestle.

KANSAS CITY, Mo., Jan. 8 .- A trolley car jumped the track at the approach of Monday, to begin the campaign. They are the trestle at Sherman and Haskell avenues in Kansas City, Kan., tonight and running over the ties onto the trestle toppled over and fell to the ground, ten feet below, severely injuring five persons.

The injured: Mrs. John Hamilton, left shoulder broken; ut on head and bruised. Mrs. J. W. Kirkpatrick, left shoulder broken; face and head badly bruised and cut by glass; bruises on body Mrs. Louise Sykes (colored), head cut and left leg seriously fractured.

W. B. Reaburn, conductor; right ankle broken. Only one person on the car escaped in-All of the injured live in Kansas LCity, Run.

legs injured and body bruised.

Fair Saturday; Sunday Rain or Snow.

Bour. Deg. 5 a. m..... 30

7 a. m..... 32

8 n. m. 28

n a. m.....

10 n. m. 31

12 m..... 40

ner's list of names.

the Iroquois fire herror.

defendant.

alley below.

Total Number of Deaths, According

to Figures of Coroner, is Five

Hundred and Sixty-Six.

baugh, another victim of the Iroquois fire

is dead at the Samaritan hospital as the

result of her injuries. This brings the

total of dead to 566, according to the cor-

Agnes Hopkins, 45 years old, has been

dered to Dunning. The woman's mind had

result of incessant reading of accounts of

Three more suits for a total of \$30.000

lamages resulting from the fire have been

filed. A feature of the suits is the making

of Building Commissioner Williams a party

Robert E. Murray, stationary engineer of

the Iroquois theater, testifying at the in-

quest today, declared that there was one

standpipe on the stage, two in the basement

and one in the smoking room. There was

no hose attached to any of them, although

there was hose in the building on a reel,

Nobody had ever been instructed how to

use it. The hose in the building consisted

of one coll, and was located in the smoking

room at the front of the building. It was

not his business, he said, to look after fire

protection. The only way in which an

alarm could reach the fire department was

by use of the telephone or by going two or

Ruth Mitchel, a school girl, testified that

when she and other members of their party

noticed sparks dropping from above the

stage one member remarked that they had

better get out. They started to do so, but

a gentleman sitting in the front row rose

and said he would knock their heads off

if they didn't sit down. The girls sat down

and remained there until a mighty draft

of air blew flames directly over the audi-

ence. Thereupon she and her party rushed

PROBING INTO FREIGHT RATES

Interstate Commerce Commission

Hears Testimony from Official of

Northwestern Rullroad.

reasonable under the conditions.

company in carrying grain.

articles.

been rescinded.

to refuse this request.

efore the committee.

rate was advanced. In reply to a question

'FRISCO SHIPPERS PROTEST

Succeed in Cetting One Concession.

but R. Hroads Are Obdurate

Upon Others,

SAN FRANCISCO, Jan. 8.-Large freight

objection to many of the advances in rates

the railroads are to put into effect on west-

bound shipments from all parts of the east

to all parts of the Pacific coast on January

18. There is to be an advance of about 10

per cent in the rates on about a hundred

The protests of the big shippers to the

railroad officials have already borne fruit.

One article, of which large quantities are

shipped to this coast, is cast iron piping

Owing to the protest of the shippers the

proposed increase in the rate on this article

from 65 cents per 100 pounds to 75 cents has

The shippers want the railroads to take

similar action on about ten or eleven other

commodities. The railroads decided today

Be Used Against Its

Author.

WASHINGTON, Jan. 8 .- The senate com-

letter discusses the Runcle incident and by

his mind along certain lines indicated by

printed as an addenda to the proceedings

The minority members of the committee

who have voted against the nomination

three blocks to the nearest fire station,

declared insane by Judge Williams and or

been unbalanced, her relatives say, as

Tells Him Nebraska is Solidly for Him for Presidential Nomination.

ALSO SPEAKS GOOD WORD FOR WEBSTER

Bonesteel Men Present Matter of the Opening of Rosebud Lands in Gregory County to Commissioner Jones.

(From a Staff Correspondent.)

WASHINGTON, Jan. 8 .- (Special Tele-

gram.)-"It's all Roosevelt and nobody

else," was the statement which Represenanother insect, the gypsy moth, which had talive Hinshaw of the Fourth Nebraska district made to President Roosevelt today. Mr. Hinshaw, believing the time was pro pitious for an interview with the president along political lines, had an extended conference with the chief executive today. After his talk Mr. Hinshaw stated that he had told the president that Nebraska was first, last and all the time for Mr. Roosevelt; that nobody else was being con-The speaker sustained the point of order sidered and that Roosevelt clubs were being organized all over the state. The president expressed, according to Mr. Hinshaw, thorough appreciation of what was being done for him in the Antelope state. Mr conditions in New York and the president was open and outspoken, as he is upon all questions, and stated that New York was all right, barring some few antagonistic forces in New York City. "The things that

> Hinshaw. The Fourth district representative said that while the people of Nebraska would like to see John L. Webster a candidate with him on the presidential ticket, they were primarily for Mr. Roosevelt. spoke to the president of Mr. Webster in a most laudatory way and stated that the re-publicans of Nebraska believed he would be a strength to the ticket for vice presi dent, but that they were tied hard and fast to Mr. Roosevelt for president.

are supposed to make the president weak in

New York, if he is weak there, make him

Mr. Hinshaw stated that he had a most delightful visit with the president; that the chief executive had gone into the political situation with him in a very happy way, and that he was more than ever impressed with the fact that Mr. Roosevelt was the only man to be nominated by the repub-Hears.

Brook Trout for Nebraska, Fifty thousand brook trout, at the instance of Congressman Burkett, will be distributed in the streams of the First dis-

trict in the next few months.

No Choice for Judge. After eight ballots were taken today the Iowa delegation interested in the selecting of a successor to Judge Shiras adjourned until next Wednesday without reaching any misfeasance or malfeasance or any scandal conclusion. The present conditions do not point to an early choice. The members interested are being bolstered up not only by candidates, but by friends of candidates, and it is pretty hard to make a break Nearly 100 ballots have been taken in the

> a single deviation on the votes for the sev eral candidates from the beginning Present Rosebud Matter.

nine conferences that have been held, and

so far as can be learned there has not been

The representatives of the Commercial Backus, accompanied by Senator Kittredge, Representatives Burke and Martin of South Dakota and Representative Kinkaid of Ne. braska, had an important conference with Commissioner Jones today relative to Representative Burke's bill providing for the opening of the Rosebud reservation to settlement and paying to the Indians \$2.50 an acre for their lands. Congressman Burke made the presentation on behalf of the delegation and then called Mr. Lucas and Mr. Backus to tell the conditions as they found them, coming direct from the country which is most interested. Throughout the hearing it was shown that had Inspector McLaughlin been permitted to continue his efforts to pledge the Indians : certain amount that he would have returned to the Indian office an agreement on the part of three-fifths of the tribe to take \$2.50 an acre for the lands, about 500,000 acres in Gregory county.

Judge Kinkaid of the Sixth Nebraska district, bordering on the Rosebud agency stated that the opening of the reservation would be of great value to the people along the northern border of his district. He stated that he had been over the reservation and had found much of it wholly un fitted for farming purposes, but there were other sections which held out inducements to the home maker.

Attorneys Lucas and Backus set before the commissioner the facts relative to valuations of land on the Rosebud reserva tion and its vicinity, which apparently gave the commissioner some new light on the ple bordering on the Rosebud reservation Every detail of the situation as it exists was gone into not only by the members of the Commercial club of Bonesteel, but by the representatives of South Dakota and by Judge Kinkaid of Nebraska, and it is thought Commissioner Jones, with the new light given him today by the delegation which waited on him, will recommend favorable report on Mr. Burke's bill, although he may suggest the amount to be paid per acre to be increased to \$2.75, in-

Postal Matters.

Postmasters appointed: Nebraska, Nantusket, Buffale county, John M. Otis, vice Frederick B. Lyle, removed; Pilot, Custer county, Samuel Berry, vice P. Strieder, resigned, Iowa, Owasa, Hardin county George L. Kasch, vice Bertha L. Sanders, resigned. Rural carriers appointed: Nebraska, Table

Rock, regular, Arthur M. Longwell; substitute, Lou E. Horton. Iowa, Clarkesville regular, James H. J. Hagerty; substitute. Thomas A. Hagerty, Primghar, regular, Floyd R. Brown; substitute, John Brown. Unionville, regular, Otto R. Peterson; substitute, Jerome C. Peterson. Wil liams, regular, Ernest Reed; substitute Mattie Reed. South Dakota, Lily, regular, Ed O. Thoe; substitute, Jacob O. Thoe. Rural routes ordered established February Nebraska, Republican City, Harlan

ounty, one route; area covered, forty-four square miles; population, 505. lows, Algona. Kossuth county, two routes; area covered. eighty-five square miles; population, 1.125. Decorah, Winneshiek county, one additional route; area, twenty-five square miles; population, 645. Everly, Clay county, one addi-Muscatine county, one additional route; area covered, twenty-seven square miles; Michael Gallivan, motorman; arms and population, 505

NEBRASKA WEATHER FORECAST DIETRICH IS

Temperature at Omaha Yesterday: Senator Formally Acquitted of Charges Pre-Hour. Deg ferred by Federal Grand Jury.

2 p. m..... 48 POSTMASTER FISHER ALSO VINDICATED 4 p. m 50

> Summers Utterly Fails to Prove Accusations Included in His Indictments.

THEATER FIRE CLAIMS ANOTHER MAKES POORER SHOWING THAN EXPECTED

Court Holds Dietrich Not Senator When He

Contracted with Government. CHICAGO, Jan. 8 .- Miss Harriett Har-

WHOLE AFFAIR COMES TO SUDDEN END

General Cowin Makes Statement Explaining His Course in Defense of Client - Decision of Judges in Full.

The Dietrich trial in the federal circuourt is a thing of the past. The senator has been found not guilty of accepting a bribe, had the indictments for conspiracy against him quashed because the court held he could not be charged twice with the same offense, and was relieved from defending h'mself in the charge of enjoying a lease with the government upon the mo-

tion of the district attorney. The whole affair came to an end yesterday with a rush. After the court held that a man cannot become a senator until he has taken the oath of office the bottom fell out of the structure prepared by District Attorney Summers and by means of which he ingentously obtained a variety of

indictments from the grand fury. The end came at 11 o'clock. After two decisions, by two judges of the federal bench sitting jointly, on points acretofore not adjudicated, the finish was effected in one of the very few cases of its kind ever tried in the United States.

Summers refused to make any statement after the trial was over. He said: "I have no further statement to makenothing more to say, I think."

"I have nothing to say," said Senator Dietrich, "beyond the fact that I was willing to waive any technicality in order to secure a full trial. My attorneys advised me, and, I believe, correctly, that the court would not allow the case to go to to the north side of the building, crawled the jury, for the reason that Summers out onto a fire escape and dropped to the would not and could not prove that I was a renator when the lease was made. The ease was made before I was even elected senator and while I was still governor. Summers knew this and knew that his case would not be allowed to go to the jury, but he persisted in his effort solely to besmirch my name."

Friends Congratuzte Him.

At the same time in the court room Sen-CHICAGO, Jan. 8.-Inquiry into the reaator Dietrich was surrounded by a group sons for an advance in grain and produce of friends anxious to shake his hand and shipping rates in December, 1963, was begun to say that even though the prosecution by the Interstate Commerce commission tolost out because it had not been shaped in day, the freight agents of five railroads conformity to law, they were satisfied that being examined. Assistant General Freight the renator is guiltless Eterally as well as and Traffic Agent Kuhn of the Chicago & technically. Els Gaughter, Miss Gertrude Northwestern railroad said he was in con- Dietrich, was the center of a throng of ference with others when the Northwestern women, smiling and talking freely for the decided to advance the shipping rates for first time since the trial began. Postmaster grain 2 cents per 100 pounds. He said he Jacob Pisher of Hastings, who also was thought the rate as advanced, but which freed of the charges pending against was subsequently reduced, was fair and was expressing his satisfaction and saying that he did not care so much about the The railroad company, he asserted, was indictments but that it was "his girls" that

under heavier expenses at the time the were the most concerned over the matter. A most notable assemblage of lawyers Mr. Kuhn could not state if the present heard the delivering by Judge Van Derate, a reduction from the one being in- | vanter of the two decisions, both of which vestigated, would be permanent. Like all settled points never before raised in Amerother witnesses who have appeared before ican jurisprudence, the first as to whether the commission, Mr. Kuhn was unable to a senator is a member of congress when give any idea as to the cost to the railroad and after he is elected or upon taking the outh of office and the second being on the contention that a lease with the government made by a member of congress before he becomes such an officer does not operate to cause him to fracture the law because its provisions are adhered to after the leasor becomes a public officer. The judge held in accordance with the arguments advanced by the defense in the first question, namely, that the oath makes a man a member of congress, in an extremely shippers of this city are making strenuous lucid opinion, concurred in by Judge Munger. The argument of the defense was found not good in the second point, towit: That a member of congress may not enjoy the benefits of a government lease entered into before he becomes a member of a legislative body.

> Destroys Summers' Last Point. The point as to the exact time a person becomes a member of congress was raised by General Cowin Thursday afternoon and argued by both sides. It and been anticipated as a vital feature of the bribery case and the judges had prepared for it. They were ready, therefore, with the decision this morning, although, as Judge Van Devanter said, the reasoning had not been reduced to the form in which it will stand upon the court records.

"From the conclusions," he said at the LETTER FROM GENERAL WOOD end, "we must instruct the jury to find this defendant not guilty. Received by Magazine Writer to

"Gentlemen of the jury, it results from that which has been just said in your, presence that, if all the evidence which the prosecution has in hand and which was described were now introduced and before you, it would appear that the defendant mittee on military affairs has received from Ray Stannard Baker, the magazine writer, had not attained that official relation with a copy of a letter which General Wood the United States which was necessary he wrote to him just prior to the latter's ap- should have attained in order to come pearance as a witness in the Wood investiwithin the inhibition of this statute, and gation. Mr. Baker told the committee of hence we must instruct you to find the dethe letter when he was on the stand and fendant not guilty. The evidence has been was then asked to send for a copy. The rendered unnecessary and it is your duty to find the defendant not guilty." inference suggests that Mr. Baker refresh H. B. Makeley of Grand Island, as fore-

man of the jury, then signed the formal General Wood. The letter has been ordered verdict and an order was issued discharging the defendant.

Summers Admits Lefent.

The closing statement by Judge Van Devanter in the case was practically admitted by Summers as completely vindicating the stand taken by General Cowin and Attorney Batty, counsel for Senator Dietrich, that the technicality raised was absolutely essential to the logical presentation of the case and that the hue and cry ruised about "dismissal of technicalities has no weight whatever, insomuch as with or without the evidence the result would have bosh the same. So much practically was admitted later by District Attorney.

Summers. The alleged bribery case against Postmaster Fisher was called and Summers filed this nolle, quashing this case also: In the case of the United States against Charles H. Dietrich, 264-V. It became the luty of counsel for the defendant to turn from the jury to the court, from the facts the law. It is a consolation to know that oction 1281 of the revised statutes has been continued at a time when it seemed necesonstrued at a time when it seemed he ary and by a court that enjoys the laymen if Charles H. Dietrich was not a member of congress until after December 2, 1901, and the court has held that he was not then Jacob Fisher cannot be put upon trial

will argue to the senate that the purpose of General Wood's letter was to prejudice the witness.

TO BAR THE MINE INSPECTORS Testimony in Davitt Mine Investigation Concerns Strange Blasting Orders

ST. PAUL, Jan. 8 .- A special to the Dispatch from Helena, Mont., says: The most damaging testimony yet given tending to fix the responsibility for the explosion in the Michael Devitt mine by which Samuel Olsen and Fred Divel lost their lives was tional route; area covered, twenty-eight given at the fifth session of the coroner's square miles; population, 540. Stockton, jury. Frank McGrath and other witnesses testified that powder had been used in the Rarus mine for purposes other than legitimate mining and that orders had been Representative Martin's bill authorising given by officers of that mine to blast down registers and receivers of land offices to the workings to prevent the inspectors furnish transcripts of their records to in- working under court orders from coming dividuals was today reported favorably by into the Rarus or allowing Harus men to